



United States Mission to the OSCE

Response to the Report by Ambassador Chahtatinsky, OSCE Project Co-ordinator in Baku

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
July 17, 2014

Thank you, Mr. Chair.

On behalf of the United States, I welcome you, Ambassador Chahtatinsky, to your first appearance at the Permanent Council as the OSCE Project Co-ordinator in Baku.

The OSCE Project Co-ordinator in Baku has a special responsibility to work with the people of Azerbaijan and to help the Government of Azerbaijan uphold the Organization's principles, values, and commitments in all three dimensions – especially regarding human rights and fundamental freedoms – and to maintain and use strong contacts with civil society in this work.

The OSCE Project Co-ordinator mandate articulated in PC Decision 1092 explicitly calls on the office to “maintain contacts” with civil society – including outside the context of specific projects. We urge you to execute your mandate with this crucial role in mind. Efforts to restrict OSCE activities by limiting contacts with civil society, and an unduly restrictive project approval process in the Memorandum of Understanding, hinder the OSCE from providing valuable support to Azerbaijan and are unacceptable.

The Government of Azerbaijan continues to put pressure on independent media, NGOs, and civil society activists. We have raised our concerns about numerous cases at the Permanent Council. For example, the United States remains deeply troubled by the sentencing of opposition leaders Ilgar Mammadov and Tofig Yagublu in March, and of Anar Mammadli, Chairman of the Election Monitoring and Democracy Studies Center, in May, based on unsubstantiated charges presented after their involvement in peaceful activities. Likewise, we remain deeply troubled by the investigation and restrictions on freedom of movement of Leyla Yunus, Director of the Institute for Peace and Democracy, her husband Arif, and journalist Rauf Mirkadirov, all of whom were involved in Track II people-to-people diplomacy in the region. The cases of the three Facebook activists, Elsever Mursalli, Abdul Abilov and Omar Mammadov, who face dubious drug charges in response to their criticism of the government for corruption and human rights violations, send a chilling message about the right to freely voice one's opinion in Azerbaijan. And this week, NGO leader Hasan Huseynli, from the town of Ganja, was sentenced to a long imprisonment on specious charges – yet another example of this disturbing pattern of repression of those seeking to exercise their human rights and fundamental freedoms recognized in our common OSCE commitments, including respect for freedoms of expression, assembly, association, and movement.

We call on the Government of Azerbaijan to facilitate the work of the Project Co-ordinator in all three dimensions, particularly the human dimension. We urge the Project Co-ordinator to redouble his efforts to support genuine dialogue with civil society, and to promote respect for the rule of law, democratic elections, fundamental freedoms, and human rights and good governance. The true added-value of the OSCE's work in these areas is in the Project Co-ordinator's office fulfillment of its role in fostering dialogue between government and civil society on the pressing issues facing Azerbaijani society, not least on issues crucial to Azerbaijan's respect for human rights, fundamental freedoms, and democratic development.

As Azerbaijan seeks to assume greater responsibility in the international community, the United States remains committed to working with Azerbaijan, and through the OSCE, to protect human rights and fundamental freedoms, and to advance democratic development in the country.

Ambassador, I listened closely to your presentation and I have several questions that I would like to raise with you.

First, I noted that the two photos of you were with President Aliyev and the foreign minister. There was no photo of you reading the Decalogue, there was no photo of you with civil society, and I would just like to remind you that, while consultation with the host government is certainly an important part of your work, you work for all of us, and you work for the principles that underlie this organization. Your masters are not the Government of Azerbaijan. So next time you report to the Permanent Council I would really like to hear about your personal efforts to reach out to and engage with civil society. It would be helpful to have that information as well.

The second question is about how you prioritize. You have a small staff with a small amount of resources. I was interested to see the report on e-service centers. My assessment is that the Government of Azerbaijan has plenty of money: they actually don't lack resources. What they are not good at is implementing their commitments, particularly in the human dimension. So I wonder how you prioritize your limited resources. It's not clear to me why the OSCE should be spending a lot of time helping them improve e-service centers, except maybe in some discrete areas; you mentioned, for instance, they are going to do legal counseling, and it's possible that is something the OSCE could help support. But I wonder how you prioritize.

Third, on the counter-terrorism work in which you are engaging in support of the government, working with law enforcement on VERLT, I wonder what kind of work you are doing to ensure that fundamental freedoms are respected as efforts are taken by law enforcement to counter extremism, particularly given that we have seen multiple abuses of specious arguments to arrest people engaged in peaceful activities. So I think it would be interesting to know how you are incorporating fundamental freedoms into that cross-dimensional work.

And fourth, in the human dimension and your work on tolerance and non-discrimination, I wonder whether you are looking to engage on all forms of tolerance and non-discrimination, not just religious issues. People with disabilities suffer discrimination in many societies, including my own. LGBT people too, so I think there's an opportunity to work more broadly there. And I noticed that fundamental freedoms are not explicitly included in either of the two approved projects this year in the third dimension. I would underline that one of the

challenges Azerbaijan faces is that its restrictions on fundamental freedoms have contributed to extremism in Azerbaijani society. So I wonder whether, in your work on tolerance and non-discrimination, you will also highlight the importance of freedom of expression, and freedom of association and assembly, in successfully advancing the goals of tolerance and non-discrimination.

Thank you.